

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

Criminal No. 19-331

SUE O'NEILL

STIPULATION

The United States of America, and Robin L. Gabel ("Gabel"), by and through their respective counsel, and with the intent to be legally bound, hereby stipulate and agree as follows:

1. As part of a criminal investigation of Sue O'Neill ("O'Neill"), the Federal Bureau of Investigation ("FBI") seized, among other assets, a 1969 Ford Mustang, VIN 9F03F205350 (delineated by asset identification number 19-FBI-004584); a 2017 Cherokee Wolfpack, VIN 5ZT3CT4B6H1210091 (delineated by asset identification number 19-FBI-004588); a 1953 Mercury Monterey, VIN 53SL43198M (delineated by asset identification number 19-FBI-004586); and a 1978 Chevrolet Corvette, VIN 1Z87L8S410477 (delineated by asset identification number 19-FBI-004590). The United States also placed lis pendens on the following properties: 60 Zassick Drive, Sewickley, PA 15143 (delineated by asset identification number 19-FBI-000617); 10435 South Licking Pike, Alexandria, KY 41001 (delineated by asset identification number 19-FBI-000681); and 10316 Alexandria Pike, Alexandria, KY 41001 ((delineated by asset identification number 19-FBI-000688) (collectively, the "Subject Property").

2. The United States included the Subject Property in the forfeiture allegations of the Information filed against O'Neill at Criminal No. 19-331, pursuant to 18 U.S.C. § 853(p), and 28 U.S.C. § 2461(c).

3. On November 13, 2019, O'Neill entered a guilty plea to Counts One and Seven of the Information at Criminal No. 19-331.

4. On December 17, 2019, the Court issued an Order forfeiting O'Neill's right, title and interest in the Subject Property.

5. The United States began ancillary proceedings so that the rights of other parties could be adjudicated. During the ancillary proceedings, Gabel filed claims for the Subject Property.

6. Other than the victims in this case, no other party has asserted an interest in the Subject Property and no other claims have been filed for the Subject Property. The time for filing claims has expired.

7. Therefore, the United States and Gabel enter into this Stipulation in complete settlement and full satisfaction of all matters relating to the seizure, storage, return, and condition of the Subject Property; and/or to any and all right, title and/or interest of Gabel in the Subject Property.

8. In full settlement and satisfaction of the instant action, the United States will release to Gabel, and Gabel will accept "as-is," the 1978 Chevrolet Corvette, VIN 1Z87L8S410477 and the 1953 Mercury Monterey, VIN 53SL43198M.

9. Gabel consents to the Court dismissing his claims, with prejudice, for the 1969 Ford Mustang, VIN 9F03F205350; the 2017 Cherokee Wolfpack, VIN 5ZT3CT4B6H1210091; 60 Zassick Drive, Sewickley, PA 15143; 10435 South Licking Pike, Alexandria, KY 41001; and 10316 Alexandria Pike, Alexandria, KY 41001.

10. Gabel agrees to forfeit all rights, title and interest he has in the 1969 Ford Mustang, VIN 9F03F205350; the 2017 Cherokee Wolfpack, VIN 5ZT3CT4B6H1210091; 60 Zassick Drive,

Sewickley, PA 15143; 10435 South Licking Pike, Alexandria, KY 41001; and 10316 Alexandria Pike, Alexandria, KY 41001 to the United States.

11. The parties agree that Gabel has until December 13, 2021, to remove his personal property and vacate 60 Zassick Drive, Sewickley, PA 15143; 10435 South Licking Pike, Alexandria, KY 41001; and 10316 Alexandria Pike, Alexandria, KY 41001. The United States will take possession of these real properties on December 13, 2021. Any personal property that remains in or at the real properties will be forfeited.

12. To the extent Gabel's spouse, Tonya Lynn Gabel, has any rights, title and/or interests in the Subject Property, she agrees to forfeit her rights, title and/or interests to the United States.

13. Gabel and his spouse, Tonya Lynn Gabel, waive their rights, if any, to contest the entry of forfeiture.

14. Gabel and his spouse, Tonya Lynn Gabel, hereby release and forever discharge the United States, its agents, servants, employees and assigns from any and all actions, causes of action, suits, proceedings, debts, dues, contracts, judgments, damages, claims and/or demands which Gabel or his spouse, or their heirs or assigns, now have or may hereafter acquire against the United States, its agents, assigns, employees and servants, with regard to any and all issues related to the forfeiture proceedings against the Subject Property, including, but not limited to, the seizure, storage, condition and/or return of the Subject Property.

15. Gabel acknowledges and stipulates that the United States had probable cause to seize the Subject Property for forfeiture pursuant to 18 U.S.C. § 853(p), and 28 U.S.C. § 2461(c).

16. The terms set forth herein are intended as a final expression of the Stipulation as agreed by the undersigned parties and may not be contradicted by evidence of any prior agreement or by any contemporaneous oral agreement. This Stipulation may not be explained

or supplemented by evidence of additional terms, nor may this Stipulation be modified, except by written instrument executed by the Parties.

17. This Stipulation is subject to the approval of the United States District Court.

18. The parties respectfully request that the United States District Court enter a certificate of reasonable cause pursuant to 28 U.S.C. § 2465 as part of the Order approving the Stipulation.

With the intent to be legally bound hereby, the undersigned execute this Stipulation this

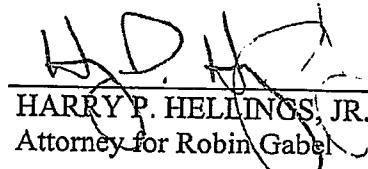
22 day of September, 2021:

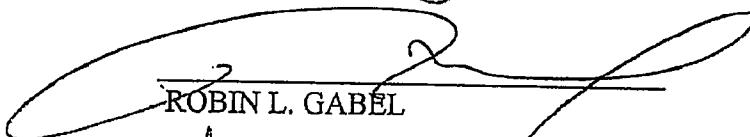
Respectfully submitted,

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By:


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